

IN RE: PETITION FOR RESIDENTIAL ZONING VARIANCE
W/S Pimlico Road, 310 ft. N of c/1 Willow Glen Drive
6506 Pimlico Road
3rd Election District
2nd Councilmanic District
Michael Henesch, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 92-265-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance from Section 1802.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a 16 ft. rear yard setback instead of the required 30 ft., for an addition, as more particularly described on Petitioners' Exhibit No. 1.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 107.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 6th day of February 1992 that the Petition for a Zoning Variance from Section 1802.3.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a 16 ft. rear yard setback instead of the required 30 ft., for an addition, in accordance with Petitioners' Exhibit No. 1, is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

Baltimore County Government
Zoning Commission
Office of Planning and Zoning

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

February 5, 1992

Mr. and Mrs. Michael Henesch
6506 Pimlico Road
Baltimore, Maryland 21209

RE: Petition for Residential Zoning Variance
Case No. 92-265-A

Dear Mr. and Mrs. Henesch:

Enclosed please find the decision rendered in the above captioned case. The Petition for Residential Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours

LAWRENCE E. SCHMIDT
Zoning Commissioner

LES:mmh
encl.

PETITION FOR RESIDENTIAL VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, petition for a Variance from Section 1802.3.C.1 to allow a 16' rear setback instead of the required 30'.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reason(s) (Indicate hardship or practical difficulty):
Need more living space for family, rear of house is only practical location.

Property is to be advertised and/or posted as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Variance posting and, if necessary, advertising, upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/we do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:

(Type or Print Name)

Signature

Address

City/State/Zip Code

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

Attorney's telephone number

Legal Owner(s):

MR. MICHAEL HENESCH

(Type or Print Name)

Signature

Address

City/State/Zip Code

Signature

Address

City/State/Zip Code

Name, address and phone number of legal owner, contract purchaser or representative to be contacted.

Name

Address

Phone

ORDERED by the Zoning Commissioner of Baltimore County, this 3rd day of FEB, 1992, that the subject matter of this petition be posted on the property on or before the 19 day of Feb, 1992.

ZONING COMMISSIONER OF BALTIMORE COUNTY

A PUBLIC HEARING HAVING BEEN REQUESTED AND/OR FIXED TO BE REQUIRED, IT IS FURTHER ORDERED by the Zoning Commissioner of Baltimore County, this ____ day of ____, 19__, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that the property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore County.



ZONING COMMISSIONER OF BALTIMORE COUNTY

REVIEWED BY: _____ DATE: _____

AFFIDAVIT

IN SUPPORT OF RESIDENTIAL ZONING VARIANCE

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and Affiant(s) swear competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 6506 Pimlico Road, Baltimore, MD. 21209 (Address)

That based upon personal knowledge, the following are the facts upon which I/we base the request for a Residential Zoning Variance at the above address: (Indicate hardship or practical difficulty)

for more living space for my family, rear of house is only practical location

That Affiant(s) acknowledge(s) that if protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Robert Henesch
AFFIANT (Handwritten Signature)
MICHAEL HENESCH
AFFIANT (Printed Name)

Robert Henesch
AFFIANT (Handwritten Signature)
Robert Henesch
AFFIANT (Printed Name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 23rd day of December, 1991, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Michael Robert Henesch
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

12-23-91

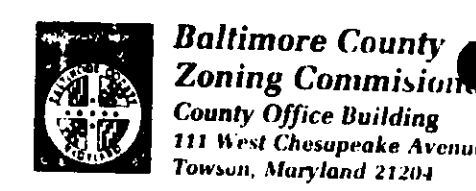
My Commission Expires: 8-1-94

ZONING DESCRIPTION OF THE PROPERTY

Beginning at a point on the west side of Pimlico Road which is 100 feet wide at the distance of 310 feet north of the centerline of the nearest improved intersecting street westbound side of Willow Glen Drive which is 40 feet wide. Being Lot #13, Block A, in the subdivision of Meadowood as recorded in Baltimore County plat Book #24, Folio #50, containing 1,350 square feet. Also known as 6506 Pimlico Road and is located in the #2 Election District.

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 2nd Date of Posting: 1/14/92
Posted for: Michael Henesch
Petitioner: Michael Henesch
Location of property: 6506 Pimlico Road, Baltimore, MD
Location of Signs: 6506 Pimlico Road, Baltimore, MD
Remarks:
Posted by: Michael Henesch Date of return: 1/14/92
Number of Signs: 1



Date 12/30/91

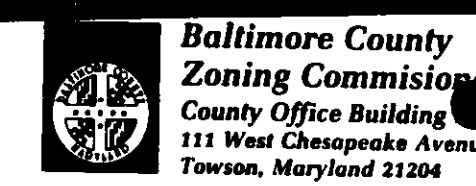
Account: R-001-6150
Number

HENESCH, Michael & Roberta
6506 Pimlico Rd
W/S Pimlico Rd 3rd & Willow Glen Dr

Cashier Validation

Please Make Checks Payable To: Baltimore County

PAID PER HAND-WRITTEN RECEIPT
DATED 12/30/91



Date 1/02/92

Account: R-001-6150
Number H9200276

PUBLIC HEARING FEES	QTY	PRICE
010 -ZONING VARIANCE (IRL)	1 X	\$35.00
080 -POSTING SIGNS / ADVERTISING	1 X	\$25.00
TOTAL:		\$60.00

LAST NAME OF OWNER: HENESCH

Cashier Validation

Please Make Checks Payable To: Baltimore County

111 West Chesapeake Avenue
Towson, MD 21204

January 8, 1992

(410) 887-3353

Michael and Roberta Henesch
6506 Pimlico Road
Baltimore, Maryland 21209

Re: CASE NUMBER: 92-265-A
LOCATION: W/S Pimlico Road, 310' N of c/1 Willow Glen Drive
6506 Pimlico Road
3rd Election District - 2nd Councilmanic

Dear Petitioner(s):

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Any contact made with this office should reference the case number. This letter also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before January 19, 1992. The closing date is February 3, 1992. The closing date is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. At that time, an Order will issue. This Order may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reported and notice of the hearing will appear in two local newspapers. Charges related to the reposting and advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$50.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

LAWRENCE E. SCHMIDT
Zoning Commissioner, Baltimore County

MICROFILMEL



92-265-A



92-265-A

#276

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 25401

SCALE 1" = 200' ±	LOCATION LAKE ROLAND	SHEET N.W. 7-C	MICROFILMED
DATE OF PHOTOGRAPHY JANUARY 1986			